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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY APPLICATION NO.608 OF 2005
IN
COMPANY PETITION NO.743 OF 2005

In the matter of sections 433 and 434 of the Companies Act, 1956

And

In the matter of M/s.Mafatlal Engineering Industries Ltd. (in liquidation)

Mafatlal Engineering Industries Employees Union ... Applicants
V/s.
The Official Liquidator & Liquidator of M/s.Mafatlal Engineering Industries Ltd. (in liquidation) ... Respnodent

Mr.Y.M. Pendse with A.A. Garge for Applicants
Ms.K.V. Gautam, Dy. O.L. present

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **DECEMBER 16, 2005**

P.C.:

. This Application has been filed for direction to the Official Liquidator to determine the dues of the constituent members of the applicant union who were workmen of the company in liquidation i.e., Mafatlal Engineering Industries Limited. According to the applicants, other workmen belonging to some other union

have already been paid their dues. The dues of the members of the applicant-union have remained to be paid. An affidavit is filed by the Official Liquidator stating that 89 workmen have taken voluntary retirement and out of these workmen 43 workmen have already lodged their claim. They were pending for want of evidence. The other workmen out of 89 workmen have not lodged their claim.

2. Mr.Pendse disputes this and states that all the 89 workmen have lodged their claims with the Official Liquidator.

3. In order to avoid any further delay in the matter, the applicants shall lodge duplicate copies of the claims filed by the workmen mentioned in Exhibit B to the affidavit. That be done within a week from today. The Official Liquidator shall consider all the 89 claims and adjudicate upon them and further direct payment to the workers. That be done within eight weeks thereafter.

4. Certified copy expedited.